

UNITED STATES BANKRUPTCY COURT
Eastern District of California
Honorable W. Richard Lee
Hearing Date: Thursday, January 30, 2014
Place: Department B – Courtroom #12
Fresno, California

INSTRUCTIONS FOR PRE-HEARING DISPOSITIONS

1. The following rulings are tentative. The tentative ruling will not become the final ruling until the matter is called at the scheduled hearing. **Pre-disposed matters will generally be called, and the rulings placed on the record at the end of the calendar.** Any party who desires to be heard with regard to a pre-disposed matter may appear at the hearing. If the party wishes to contest the tentative ruling, he/she shall notify the opposing party/counsel of his/her intention to appear. **If no disposition is set forth below, the hearing will take place as scheduled.**
2. Submission of Orders:

Unless the tentative ruling expressly states that the court will prepare a civil minute order, then the tentative ruling will only appear in the minutes. If any party desires an order, then the appropriate form of order, which conforms to the tentative ruling, must be submitted to the court. When the debtor(s) discharge has been entered, proposed orders for relief from stay must reflect that the motion is denied as to the debtor(s) and granted only as to the trustee. Entry of discharge normally is indicated on the calendar.
3. Matters Resolved Without Opposition:

If the tentative ruling states that no opposition was filed, and the moving party is aware of any reason, such as a settlement, why a response may not have been filed, the moving party must advise Vicky McKinney, the Calendar Clerk, at (559) 499-5825 by 4:00 p.m. the day before the scheduled hearing.
4. Matters Resolved by Stipulation:

If the parties resolve a matter by stipulation after the tentative ruling has been posted, but **before the formal order is entered on the docket**, the **moving party** may appear at the hearing and advise the court of the settlement or withdraw the motion. Alternatively, the parties may submit a stipulation and order to modify the tentative ruling together with the proposed order resolving the matter.
5. Resubmittal of Denied Matters:

If the moving party decides to re-file a matter that is denied without prejudice for any reason set forth below, the moving party must file and serve a new set of pleadings with a new docket control number. It may not simply re-notice the original motion.

9:00 A.M.

1. [13-10302](#)-B-11 GMC DAIRY FARMS LP

 THOMAS GILLIS/Atty. for dbt.

CONTINUED CHAPTER 11 STATUS
CONFERENCE
1-25-13 [[40](#)]

2. [13-10302](#)-B-11 GMC DAIRY FARMS LP
 UST-1
 AUGUST LANDIS/MV
 THOMAS GILLIS/Atty. for dbt.
 ROBIN TUBESING/Atty. for mv.
 RESPONSIVE PLEADING

MOTION TO DISMISS CASE
12-20-13 [[416](#)]

3. [12-14514](#)-B-11 TERRENCE/LORRENE
 HAR-12 GONSALVES
 TERRENCE GONSALVES/MV

 HILTON RYDER/Atty. for dbt.

OBJECTION TO CLAIM OF DUNCAN
AND JUDITH OSBORNE, CLAIM
NUMBER 23
12-4-13 [[342](#)]

**Court has been informed by Debtors' counsel that this objection has been
settled and will be withdrawn. Accordingly, the matter will be dropped
from calendar. No appearance is necessary.**

4. [13-12342](#)-B-11 MEHRDAD FAY

 HAGOP BEDOYAN/Atty. for dbt.

CONTINUED CHAPTER 11 STATUS
CONFERENCE
4-9-13 [[11](#)]

5. [13-12342](#)-B-11 MEHRDAD FAY
 KDG-10

 HAGOP BEDOYAN/Atty. for dbt.

DISCLOSURE STATEMENT FILED BY
DEBTOR MEHRDAD FAY
12-20-13 [[198](#)]

6. [13-12343](#)-B-11 JIROUDI FAY, LLC

 PETER FEAR/Atty. for dbt.

CONTINUED CHAPTER 11 STATUS
CONFERENCE
4-9-13 [[10](#)]

7. [13-12343](#)-B-11 JIROUDI FAY, LLC
KDG-10
PETER FEAR/Atty. for dbt.

DISCLOSURE STATEMENT FILED BY
DEBTOR JIROUDI FAY, LLC
12-20-13 [[200](#)]

8. [13-16954](#)-B-11 MADERA ROOFING, INC.
RANCHWOOD CONTRACTORS, INC./MV
ERIC FROMME/Atty. for dbt.
THEODORE LIEU/Atty. for mv.

MOTION FOR RELIEF FROM
AUTOMATIC STAY
1-2-14 [[85](#)]

The motion will be denied without prejudice. The moving papers do not include an appropriate docket control number as required by Local Rule 9014-1(c). The form and/or content of the notice do not comply with Local Rule 9014-1(d). There is no proof of service to show that the notice and moving papers were served on anybody. No appearance is necessary.

9. [13-13388](#)-B-11 GEORGE/MARILYN LANTING
NANCY KLEPAC/Atty. for dbt.

CONTINUED CHAPTER 11 STATUS
CONFERENCE
5-17-13 [[13](#)]

10. [13-17297](#)-B-11 MARIA PEDRO
THOMAS GILLIS/Atty. for dbt.

CONTINUED CHAPTER 11 STATUS
CONFERENCE
11-20-13 [[18](#)]

11. [13-17297](#)-B-11 MARIA PEDRO
TOG-2
MARIA PEDRO/MV
THOMAS GILLIS/Atty. for dbt.
RESPONSIVE PLEADING

CONTINUED MOTION TO USE CASH
COLLATERAL
11-14-13 [[4](#)]

12. [13-17297](#)-B-11 MARIA PEDRO
UST-1
OFFICE OF THE U.S. TRUSTEE/MV
THOMAS GILLIS/Atty. for dbt.
ROBIN TUBESING/Atty. for mv.
RESPONSIVE PLEADING

MOTION TO DISMISS CASE
12-24-13 [[73](#)]

10:00 A.M.

1. [13-17300](#)-B-7 RENEE FONTES
TMT-1
TRUDI MANFREDO/MV

JANINE ESQUIVEL/Atty. for dbt.
TRUDI MANFREDO/Atty. for mv.
RESPONSIVE PLEADING

MOTION TO DISMISS CASE FOR
UNREASONABLE DELAY THAT IS
PREJUDICIAL TO CREDITORS AND/OR
MOTION TO EXTEND DEADLINE TO
FILE A COMPLAINT OBJECTING TO
DISCHARGE OF THE DEBTOR
1-2-14 [[10](#)]
2. [13-17304](#)-B-7 STEVE OVERMAN
TMT-1
TRUDI MANFREDO/MV
GREG BLEVINS/Atty. for dbt.
TRUDI MANFREDO/Atty. for mv.
RESPONSIVE PLEADING

MOTION TO DISMISS CASE
1-2-14 [[11](#)]
3. [11-63705](#)-B-7 BRENDT HOWARD
KJL-2
BRENDT HOWARD/MV
KENNETH JORGENSEN/Atty. for dbt.

MOTION TO AVOID LIEN OF
CITIBANK (SOUTH DAKOTA), N.A.
12-26-13 [[30](#)]

This matter was fully noticed in compliance with the Local Rules and there is no opposition. The motion will be granted without oral argument for cause shown. The moving party shall submit a proposed order. No appearance is necessary.

4. [11-63705](#)-B-7 BRENDT HOWARD
KJL-3
BRENDT HOWARD/MV
KENNETH JORGENSEN/Atty. for dbt.

MOTION TO AVOID LIEN OF
AMERICAN EXPRESS BANK, FSB
12-26-13 [[36](#)]

The motion will be denied without prejudice. No appearance is necessary. The record does not establish that the motion was served on the named respondent, American Express Bank, FSB, in compliance with Federal Rule of Bankruptcy Procedure 7004(b)(1) (service on an individual), 7004(b)(3) (corporation, partnership or unincorporated association) or 7004(h) (FDIC Insured Depository Institution). *In re Villar*, 317 B.R. 88 (9th Cir. BAP 2004). Information regarding service on a corporation may be obtained from the California Secretary of State's Internet Website, see <http://kepler.sos.ca.gov/>. For a directory of FDIC Insured Institutions, see <http://www3.fdic.gov/idasp/main.asp>. Litigants are encouraged to attach a copy of their information source (web page, etc.) to the proof of service to assist the court in evaluating compliance with Rule 7004.

5. [12-17014](#)-B-7 HECTOR/ROSINA PICON MOTION TO SELL
JES-3 12-31-13 [[31](#)]
JAMES SALVEN/MV
TIMOTHY SPRINGER/Atty. for dbt.
JAMES SALVEN/Atty. for mv.

This motion to sell assets was fully noticed in compliance with the Local Rules and there is no opposition. However, the terms of payment are not disclosed in the motion. The motion will be granted without oral argument for cause shown, provided the terms of the transaction require payment in full, to be received by the trustee within 30 days of court approval. The time for payment shall be set forth in the court's order. Unless the court orders otherwise, the trustee may not release any property of the bankruptcy estate unless and until the purchase/settlement price has been paid in full. If the agreed terms permit payment to be made in installments, or after 30 days, the motion will be denied based on failure to disclose a material term of the transaction. The trustee shall submit an appropriate order in conformity with this ruling. No appearance is necessary.

6. [13-15618](#)-B-7 RICARDO/KARLA OBJECTION TO DEBTOR'S CLAIM OF
JES-1 GOMEZ-GONZALEZ EXEMPTIONS
JAMES SALVEN/MV 11-15-13 [[16](#)]
MARIO LANGONE/Atty. for dbt.
JAMES SALVEN/Atty. for mv.

The trustee's objection to exemptions will be sustained without oral argument. The matter was fully noticed in compliance with the Local Rules and there was no opposition.

The trustee objects to the second amended exemptions filed by the Debtors on October 18, 2013. The objection is timely. At the commencement of this case, the amount of "wild card" exemption available to the Debtors' combining CCP subsections 703.140(b)(1) & (5) was \$26,425. The "wild card" exemptions claimed by the Debtors total \$28,020.07. The wild card exemption will therefore be disallowed in any amount that exceeds the statutory limit. The Debtors shall have 14 days after service of this order to amend their exemptions again to comply with the statute and serve a copy of the amended exemptions on the Trustee. If they fail to do so, the Trustee may proceed to liquidate exempt assets and allocate the "wild card" exemption to the proceeds in his discretion. The court will enter a civil minute order. No appearance is necessary.

7. [13-17025](#)-B-7 DIANA ELIZONDO RESCHEDULED HEARING RE:
JES-1 OPPOSITION TO TRUSTEE'S MOTION
TO DISMISS FOR FAILURE TO
APPEAR AT SEC. 341(A) MEETING
OF CREDITORS
12-9-13 [[12](#)]

JAMES SALVEN/Atty. for mv.

8. [13-17133](#)-B-7 KAREN DAVIS MOTION TO DISMISS CASE
GGL-1 1-2-14 [[12](#)]
KAREN DAVIS/MV
GEORGE LOGAN/Atty. for dbt.
RESPONSIVE PLEADING

The motion has been withdrawn by the debtor. No appearance is necessary.

9. [13-16341](#)-B-7 VINCENT/AMBER HERRERA OBJECTION TO DEBTOR'S CLAIM OF
JES-1 EXEMPTIONS
JAMES SALVEN/MV 11-15-13 [[14](#)]
TIMOTHY SPRINGER/Atty. for dbt.
JAMES SALVEN/Atty. for mv.
RESPONSIVE PLEADING

The Trustee's objection will be overruled as moot. The "tools of the trade" exemption has been amended and no longer appears to be applicable. No appearance is necessary.

10. [11-11458](#)-B-7 RAY BARNES AND LORA CONTINUED MOTION FOR APPROVAL
SAS-2 NUNES-BARNES OF THE AMENDED CLAIMS PROPOSED
SHERYL STRAIN/MV DISTRIBUTION
11-15-13 [[80](#)]
PETER BUNTING/Atty. for dbt.
THOMAS ARMSTRONG/Atty. for mv.

The matter will be dropped from calendar without a disposition. The Trustee has filed an amended final report and the Clerk of Court has issued a notice of time to object. The court does not need to approve the amended final report unless an objection is filed and set for hearing. No appearance is necessary.

11. [13-16171](#)-B-7 FRANCES PASS MOTION TO SELL
JES-3 12-21-13 [[26](#)]
JAMES SALVEN/MV
GABRIEL WADDELL/Atty. for dbt.
JAMES SALVEN/Atty. for mv.

This matter was fully noticed in compliance with the Local Rules and there is no opposition. The motion will be granted without oral argument for cause shown. The moving party shall submit a proposed order. No appearance is necessary.

12. [11-13884](#)-B-7 GIACOMO/LEA CIABATTINI OBJECTION TO CLAIM OF JEFF AND
JES-2 MICHELLE DEWITT, CLAIM NUMBER 5
JAMES SALVEN/MV 11-12-13 [[36](#)]
TRUDI MANFREDO/Atty. for dbt.
JAMES SALVEN/Atty. for mv.

The objection will be sustained. Claim #5 is deemed to be a timely filed non-priority general unsecured claim. The objecting party shall submit a proposed order consistent with this ruling. No appearance is necessary.

13. [13-16884](#)-B-7 LEONEL PRECIADO, SR. AND CONTINUED MOTION TO AVOID LIEN
SL-3 MARIA PRECIADO OF CITIBANK SOUTH DAKOTA, N.A.
LEONEL PRECIADO, SR./MV 12-3-13 [[30](#)]
STEPHEN LABIAK/Atty. for dbt.

This matter was fully noticed in compliance with the Local Rules and there is no opposition. The motion will be granted without oral argument for cause shown. The moving party shall submit a proposed order. No appearance is necessary.

14. [13-17797](#)-B-7 ZACHARIAH/BERLINE AMENDED MOTION TO COMPEL
GGL-1 GUETTINGER ABANDONMENT .
ZACHARIAH GUETTINGER/MV 1-20-14 [[24](#)]
GEORGE LOGAN/Atty. for dbt.
OST

10:30 A.M.

1. [13-16606](#)-B-7 DONALD/DIANA HAWKINS STATUS CONFERENCE RE: COMPLAINT
[13-1128](#) 11-15-13 [[1](#)]
HAWKINS, JR. V. MOUNTAIN LION
ACQUISITIONS, INC.
TIMOTHY SPRINGER/Atty. for pl.

It appears this adversary proceeding has been settled or the defendant(s) default has been entered. The status conference will be dropped from calendar and may be reset by any party on 10 days' notice. No appearance is necessary. The clerk of the court may close the adversary proceeding without notice in 60 days unless the adversary proceeding has been concluded or set for a further status conference within that time. Either party may request an extension of this time up to 30 days by ex parte application for cause. After the adversary proceeding has been closed, the parties will have to file an application to reopen the adversary proceeding if further action is required. The court will issue a civil minute order.

2. [13-15708](#)-B-7 JAMES/BARBARA MYERS STATUS CONFERENCE RE: COMPLAINT
[13-1133](#) 12-2-13 [[1](#)]
DISCOVER BANK V. MYERS
RAYMOND MOATS/Atty. for pl.
RESPONSIVE PLEADING

The matter has been resolved by stipulation of the parties and will be dropped from calendar. The parties shall submit a proposed stipulated judgment. No appearance is necessary.

3. [13-14675](#)-B-7 JERRY KUTUMIAN STATUS CONFERENCE RE: COMPLAINT
[13-1112](#) 10-11-13 [[1](#)]
ADAMS ET AL V. KUTUMIAN
MITCHELL GOLUB/Atty. for pl.

This matter will be continued to February 12, 2014, at 9:00 a.m., to be called with defendant's motion to dismiss. The court will prepare a minute order. No appearance is necessary.

4. [13-18086](#)-B-7 RICHARD ARMAS MOTION FOR RELIEF FROM
MMW-1 AUTOMATIC STAY
TBSF4 LLC/MV 1-16-14 [[15](#)]
ERIC ESCAMILLA/Atty. for dbt.
MICHAEL WINTRINGER/Atty. for mv.

11:00 A.M.

1. [13-17693](#)-B-7 BHOGAR AVALOS

PRO SE REAFFIRMATION AGREEMENT
WITH MERCED SCHOOL EMPLOYEES
FCU
1-6-14 [[21](#)]

1:30 P.M.

1. [13-16703](#)-B-13 AGUSTIN AREVALO
MHM-1
MICHAEL MEYER/MV
CONTINUED MOTION TO DISMISS
CASE FOR FAILURE TO MAKE PLAN
PAYMENTS AND/OR MOTION TO
DISMISS CASE
12-6-13 [[28](#)]
2. [12-14107](#)-B-13 MATTHEW/KRISTIN RUEGGE
PLG-2
MATTHEW RUEGGE/MV
STEVEN ALPERT/Atty. for dbt.
RESPONSIVE PLEADING
MOTION TO MODIFY PLAN
12-5-13 [[58](#)]
3. [09-14025](#)-B-13 JOEL/GINA VANCE
ASW-4
JOEL VANCE/MV
ADRIAN WILLIAMS/Atty. for dbt.
MOTION TO VALUE COLLATERAL OF
HSBC AUTO FINANCE, PRA
RECEIVABLES MANAGEMENT, LLC
12-16-13 [[55](#)]

The motion will be denied without prejudice. No appearance is necessary. The record does not establish that the motion was served on the named respondent and apparent holder of the claim, PRA Receivables Management, LLC, in compliance with Federal Rule of Bankruptcy Procedure 7004(b)(1) (service on an individual), 7004(b)(3) (corporation, partnership or unincorporated association) or 7004(h) (FDIC Insured Depository Institution). *In re Villar*, 317 B.R. 88 (9th Cir. BAP 2004). Information regarding service on a corporation may be obtained from the California Secretary of State's Internet Website, see <http://kepler.sos.ca.gov/>. For a directory of FDIC Insured Institutions, see <http://www3.fdic.gov/idasp/main.asp>. Litigants are encouraged to attach a copy of their information source (web page, etc.) to the proof of service to assist the court in evaluating compliance with Rule 7004.

4. [13-17027](#)-B-13 JUAN MARTINEZ
MRG-1
U.S. BANK NATIONAL
ASSOCIATION/MV
JAMES MILLER/Atty. for dbt.
MICHAEL GONZALES/Atty. for mv.
CASE DISMISSED
OBJECTION TO CONFIRMATION OF
PLAN BY U.S. BANK NATIONAL
ASSOCIATION
12-5-13 [[24](#)]

This matter will be dropped from calendar without a disposition. The case has already been dismissed. No appearance is necessary.

5. [12-16828](#)-B-13 MARY BOCANEGRA
PBB-2
MARY BOCANEGRA/MV
PETER BUNTING/Atty. for dbt.

MOTION TO MODIFY PLAN
12-19-13 [[53](#)]

The motion to confirm or modify a chapter 13 plan was fully noticed in compliance with the Local Rules and there is no opposition. The motion will be granted without oral argument for cause shown. The debtor(s) shall submit a proposed confirmation order for approval to the chapter 13 trustee. The confirmation order shall include the docket control number of the motion and it shall reference the plan by the date it was filed. No appearance is necessary.

6. [13-17728](#)-B-13 ROBERT/CONNIE RICHMOND

GARY HUSS/Atty. for dbt.
FINAL INSTALLMENT PAID
1/21/14

ORDER TO SHOW CAUSE - FAILURE
TO PAY FEES
1-10-14 [[26](#)]

The record shows that the required fee has been paid in full. The OSC will be dropped from calendar. No appearance is necessary.

7. [13-12331](#)-B-7 LILIA GARCIA
TOG-6
LILIA GARCIA/MV
THOMAS GILLIS/Atty. for dbt.
RESPONSIVE PLEADING

MOTION TO CONFIRM PLAN
12-17-13 [[73](#)]

This matter will be deemed withdrawn. The debtor has reconverted this case to chapter 7. No appearance is necessary.

8. [13-16634](#)-B-13 THOMAS/JO ANN DEKONING
GH-1
THOMAS DEKONING/MV

GARY HUSS/Atty. for dbt.
RESPONSIVE PLEADING

CONTINUED MOTION TO VALUE
COLLATERAL OF CALIFORNIA BANK &
TRUST
10-28-13 [[14](#)]

9. [10-10438](#)-B-13 RONNIE/CHARLOTTE RACKLEY
PLF-4
RONNIE RACKLEY/MV
PETER FEAR/Atty. for dbt.
RESPONSIVE PLEADING

MOTION TO MODIFY PLAN
12-16-13 [[55](#)]

10. [10-60938](#)-B-13 MEILY YIP

ORDER TO SHOW CAUSE REGARDING
CONTEMPT OF COURT
11-8-13 [[74](#)]

11. [13-11862](#)-B-13 BARRY/SILVIA FISHER
MAG-6
BARRY FISHER/MV
MARC GOLDBACH/Atty. for dbt.

MOTION TO CONFIRM PLAN
11-29-13 [[73](#)]

The motion to confirm or modify a chapter 13 plan was fully noticed in compliance with the Local Rules and there is no opposition. The motion will be granted without oral argument for cause shown. The debtor(s) shall submit a proposed confirmation order for approval to the chapter 13 trustee. The confirmation order shall include the docket control number of the motion and it shall reference the plan by the date it was filed. No appearance is necessary.

12. [13-12064](#)-B-13 KEITH/MARGARET WILD
JDM-1
KEITH WILD/MV
JAMES MILLER/Atty. for dbt.

MOTION TO APPROVE LOAN
MODIFICATION
12-19-13 [[25](#)]

This matter was fully noticed in compliance with the Local Rules and there is no opposition. The motion will be granted without oral argument. The court does not approve or disapprove the terms of a mortgage modification outside of a chapter 13 plan. See *In re Wofford*, 449 B.R. 362 (Bankr. W.D. Wis. 2011). However, the court will authorize the debtor(s) to enter into a modification agreement on terms to be negotiated between the debtor(s) and the mortgagee so long as modification of the mortgage does not interfere with the debtor(s) duties and trustee's administration of the chapter 13 plan. The moving party shall submit a proposed order. No appearance is necessary.

13. [13-17665](#)-B-13 MARGARITO/GUADALUPE
TOG-1 VILLEGAS
MARGARITO VILLEGAS/MV
THOMAS GILLIS/Atty. for dbt.

MOTION TO VALUE COLLATERAL OF
JAIME CANTU DINUBA
12-18-13 [[8](#)]

This motion to value the collateral for a consensual lien against real property was fully noticed in compliance with the Local Rules and there was no opposition. The motion will be granted for cause shown without oral argument. Based on the evidence offered in support of the motion, the respondent's junior priority mortgage claim is found to be wholly unsecured and may be treated as a general unsecured claim in the chapter 13 plan. The debtor(s) may proceed under state law to obtain a reconveyance of respondent's trust deed upon completion of the chapter 13 plan and entry of the discharge. *Unless the chapter 13 plan has been confirmed, then the order shall specifically state that it is not effective until confirmation of the plan.* The debtor(s) shall submit a proposed order consistent with this ruling. No appearance is necessary.

This ruling is only binding on the named respondent in the moving papers and any successor who takes an interest in the property after service of the motion.

14. [11-12668](#)-B-13 ALVINA FISCHER
MHM-3
MICHAEL MEYER/MV

CONTINUED MOTION TO DISMISS
CASE FOR UNREASONABLE DELAY
THAT IS PREJUDICIAL TO
CREDITORS AND/OR MOTION TO
DISMISS CASE
11-21-13 [[94](#)]

NANCY KLEPAC/Atty. for dbt.
RESPONSIVE PLEADING

This matter will be continued to February 27, 2014, at 1:30 p.m. The court will track this matter with the adversary proceeding, which may ultimately resolve the "feasibility" issues raised by the trustee's objection. The court will prepare a minute order. No appearance is necessary.

15. [13-16478](#)-B-13 LYNETTE QUINTO
JDM-2
LYNETTE QUINTO/MV

MOTION TO VALUE COLLATERAL OF
UNITED GUARANTY RESIDENTIAL
INSURANCE COMPANY OF NORTH
CAROLINA (2ND DEED OF TRUST)
12-12-13 [[27](#)]

JAMES MILLER/Atty. for dbt.

This motion to value the collateral for a consensual lien against real property was fully noticed in compliance with the Local Rules and there was no opposition. The motion will be granted for cause shown without oral argument. Based on the evidence offered in support of the motion, the respondent's junior priority mortgage claim is found to be wholly unsecured and may be treated as a general unsecured claim in the chapter 13 plan. The debtor(s) may proceed under state law to obtain a reconveyance of respondent's trust deed upon completion of the chapter 13 plan and entry of the discharge. *Unless the chapter 13 plan has been confirmed, then the order shall specifically state that it is not effective until confirmation of the plan.* The debtor(s) shall submit a proposed order consistent with this ruling. No appearance is necessary.

This ruling is only binding on the named respondent in the moving papers and any successor who takes an interest in the property after service of the motion.

16. [13-17779](#)-B-13 JOSE/MARIA AVILA
TOG-1
JOSE AVILA/MV
THOMAS GILLIS/Atty. for dbt.

MOTION TO VALUE COLLATERAL OF
BANK OF AMERICA, N.A.
12-17-13 [[8](#)]

This motion to value the collateral for a consensual lien against real property was fully noticed in compliance with the Local Rules and there was no opposition. The motion will be granted for cause shown without oral argument. Based on the evidence offered in support of the motion, the respondent's junior priority mortgage claim is found to be wholly unsecured and may be treated as a general unsecured claim in the chapter 13 plan. The debtor(s) may proceed under state law to obtain a reconveyance of respondent's trust deed upon completion of the chapter 13 plan and entry of the discharge. *Unless the chapter 13 plan has been confirmed, then the order shall specifically state that it is not effective until confirmation of the plan.* The debtor(s) shall submit a proposed order consistent with this ruling. No appearance is necessary.

This ruling is only binding on the named respondent in the moving papers and any successor who takes an interest in the property after service of the motion.

17. [13-17779](#)-B-13 JOSE/MARIA AVILA
TOG-3
JOSE AVILA/MV
THOMAS GILLIS/Atty. for dbt.

MOTION TO VALUE COLLATERAL OF
BANK OF AMERICA, N.A.
12-18-13 [[13](#)]

This motion to value respondent's collateral was fully noticed in compliance with the Local Rules and there was no opposition. The motion will be granted for cause shown without oral argument. Based on the evidence presented, the respondent's secured claim will be fixed at \$70,00. The moving party shall submit a proposed order consistent with this ruling. *The proposed order shall specifically identify the collateral, and if applicable, the proof of claim to which it relates.* The order will be effective upon confirmation of the chapter 13 plan. No appearance is necessary.

18. [13-16590](#)-B-13 JOSE VERA
ASW-1
JOSE VERA/MV
ALLAN WILLIAMS/Atty. for dbt.

MOTION TO VALUE COLLATERAL OF
HSBC MORTGAGE SERVICES, INC.
12-12-13 [[30](#)]

This motion to value the collateral for a consensual lien against real property was fully noticed in compliance with the Local Rules and there was no opposition. The motion will be granted for cause shown without oral argument. Based on the evidence offered in support of the motion, the respondent's junior priority mortgage claim is found to be wholly unsecured and may be treated as a general unsecured claim in the chapter 13 plan. The debtor(s) may proceed under state law to obtain a reconveyance of respondent's trust deed upon completion of the chapter 13 plan and entry of the discharge. *Unless the chapter 13 plan has been confirmed, then the order shall specifically state that it is not effective until confirmation of the plan.* The debtor(s) shall submit a proposed order consistent with this ruling. No appearance is necessary.

This ruling is only binding on the named respondent in the moving papers and any successor who takes an interest in the property after service of the motion.

19. [13-16590](#)-B-13 JOSE VERA
ASW-2
JOSE VERA/MV
ALLAN WILLIAMS/Atty. for dbt.

MOTION TO AVOID LIEN OF
SUNLAN-020105, LLC
12-13-13 [[38](#)]

This matter was fully noticed in compliance with the Local Rules and there is no opposition. The motion will be granted without oral argument for cause shown. The moving party shall submit a proposed order. No appearance is necessary.

20. [13-16593](#)-B-13 JASPAL AMROKE AND BALJIT CONTINUED HEARING RE: MOTION
THA-1 KAUR FOR RELIEF FROM AUTOMATIC STAY
MID VALLEY SERVICES, INC./MV 12-10-13 [[36](#)]
THOMAS GILLIS/Atty. for dbt.
THOMAS ARMSTRONG/Atty. for mv.
RESPONSIVE PLEADING

21. [12-12198](#)-B-13 ANITRA AYTMAN-BILLOPS MOTION TO SELL
MAZ-4 12-24-13 [[78](#)]
ANITRA AYTMAN-BILLOPS/MV
MARK ZIMMERMAN/Atty. for dbt.
CASE DISMISSED

This matter will be dropped from calendar without a disposition. The case has already been dismissed. No appearance is necessary.

22. [14-10137](#)-B-13 RENEE RILEY MOTION TO EXTEND AUTOMATIC STAY
DRJ-2 1-21-14 [[7](#)]
RENEE RILEY/MV
DAVID JENKINS/Atty. for dbt.

23. [14-10063](#)-B-13 KATHRYN DORAN MOTION TO IMPOSE AUTOMATIC STAY
SL-1 1-23-14 [[12](#)]
KATHRYN DORAN/MV
SCOTT LYONS/Atty. for dbt.

2:00 P.M.

1. [13-16219](#)-B-13 KARL/BRENDA KAUFMANN
MHM-2

GARY HUSS/Atty. for dbt.

OBJECTION TO CONFIRMATION OF
PLAN BY TRUSTEE MICHAEL H.
MEYER
1-14-14 [[49](#)]
2. [13-15946](#)-B-13 ROBERTO RODRIGUEZ AND
MHM-1 TERESA AGUILAR
MICHAEL MEYER/MV

THOMAS GILLIS/Atty. for dbt.

MOTION TO DISMISS CASE FOR
UNREASONABLE DELAY THAT IS
PREJUDICIAL TO CREDITORS AND/OR
MOTION TO DISMISS CASE
1-15-14 [[79](#)]

The motion has been withdrawn. No appearance is necessary.

3. [13-17563](#)-B-13 LISA THAI
MHM-1
MICHAEL MEYER/MV

MOTION TO DISMISS CASE FOR
UNREASONABLE DELAY THAT IS
PREJUDICIAL TO CREDITORS AND/OR
MOTION TO DISMISS CASE FOR
FAILURE TO MAKE PLAN PAYMENTS
1-9-14 [[31](#)]
4. [13-16783](#)-B-13 ALVARO FLORES
MHM-2

JERRY LOWE/Atty. for dbt.

OBJECTION TO CONFIRMATION OF
PLAN BY TRUSTEE MICHAEL H.
MEYER
1-14-14 [[34](#)]

The trustee's objection has been withdrawn. No appearance is necessary.